



For at least three reasons, Brunner is not an effective prior art reference against the present application. The Brunner patent issued October 12, 1999 on an application filed September 4, 1998. As to the subject matter of the Brunner patent, the present application claims priority at least back to U.S. Patent No. 5,632,791, issued May 27, 1997 on an application filed December 6, 1994. For this reason alone, Brunner is not an effective prior art reference. Secondly, in the Brunner patent, at column 1, line 58 et seq., applicant's priority patent U.S. Patent No. 5,632,791 is specifically acknowledged as prior art. This is additional reason to remove Brunner as an effective prior art reference in the present case. And thirdly, if the claims of U.S. Patent No. 5,632,791 are considered with reference to the structure shown in the Brunner drawings, it will be seen that the Brunner filter is nothing more than an infringement of applicant's earlier Patent 5,632,791.

Accordingly, for the foregoing reasons, Brunner is not an effective prior art reference and can not form the basis for a §102 rejection of the claim in this case. Reconsideration is therefore requested.

In view of the foregoing amendment and remarks, it is believed that this case is in condition to pass to publication. Such action in the regular course of business is solicited.

Respectfully submitted,



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